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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,294	07/11/2003	Yoko Hirai	03403/HG	4368
1933	7590	08/12/2005	EXAMINER	
FRISHAUF, HOLTZ, GOODMAN & CHICK, PC			SHAH, MANISH S	
220 5TH AVE FL 16			ART UNIT	
NEW YORK, NY 10001-7708			PAPER NUMBER	

2853

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/618,294	Applicant(s) HIRAI, YOKO	
	Examiner Manish S. Shah	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5-6 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cleary et al. (# US 6457823) in view of Leenders et al. (# US 5568173).

Cleary et al. discloses an inkjet image forming method including jetting UV ray curable ink from an inkjet head onto a recording substrate (element: 28, 40; figure: 1, 2, 4), while conveying substrate; and exposing the jetted ink on the recording substrate to UV rays irradiated by an ultraviolet ray-emitting light source (element: 24, 42, figure: 2, 4), wherein inkjet head is line shaped inkjet head installed in perpendicular direction to a conveying direction of the recording substrate, and UV ray light source is a UV ray tube, which fixed at downstream position of the inkjet head and in perpendicular direction of conveying direction of the recording substrate (figure: 4). They also disclose that the exposing steps are started right after ejecting ink to the recording medium, which is same as started in 0.0005 to 1 second (column: 4, line: 60-67). They also disclose that the plural UV ray emitting light sources, which have different peak wavelengths from each other (figure: 8A, 9A).

Cleary et al. differ from the claim of the present invention in that a surface temperature of the UV ray-emitting light source is not more than 60 °C.

Leenders et al. teaches that to get the high quality printed image, ink jet image forming method includes the exposing steps, wherein a surface temperature of the UV ray- emitting light source is from 40 °C to 160 °C (column: 11, line: 5-10; line: 17-25).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the image forming method of Cleary et al. by the aforementioned teaching of Leenders et al. in order to have a high quality printed image.

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cleary et al. (# US 6457823) in view of Leenders et al. (# US 5568173) as applied to claims 1-3, 5-6 & 8 above, and further in view of Figov (# US 6095050).

Cleary et al. and Leenders et al. discloses all the limitation of the image forming method except that the distance between a surface of the UV ray emitting light source and the recording substrate is from 0.1 mm to 100 mm.

Figov teaches that the smear resistance, smudged resistance printed image, the distance between a surface of the UV ray emitting light source and the recording substrate is approximately 10 cm (100 mm) (column: 5, line: 1-5).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the inkjet image forming method of Cleary et al. as modified by the aforementioned teaching of Figov in order to have a smudged resistance and smear resistance printed image.

3. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cleary et al. (# US 6457823) in view of Leenders et al. (# US 5568173) as applied to claims 1-3, 5-6 & 8 above, and further in view of Hibino et al. (# US 5864354).

Cleary et al. and Leenders et al. discloses all the limitation of the image forming method except that the UV ray emitting light source is a fluorescent light source including a fluorescent material.

Hibino et al. teaches that to get the high quality printing with good fixing property, image forming method includes the UV ray emitting light source is a fluorescent light source including a fluorescent material (column: 15, line: 30-60).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the inkjet image forming method of Cleary et al. as modified by the aforementioned teaching of Hibino et al. in order to have a printed image with good fixing property, which gives high quality printed image.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cleary et al. (# US 6457823) in view of Leenders et al. (# US 5568173) as applied to claims 1-3, 5-6 & 8 above, and further in view of Roth (# US 5889084).

Cleary et al. and Leenders et al. discloses all the limitation of the image forming method except that the UV ray curable ink includes a cationic polymerization initiator and a cationic polymerization monomer.

Roth teaches that to get the chemical resistance and smear resistance printed image, inkjet ink includes a cationic polymerization initiator and cationic polymerization monomer (see Abstract; column: 3, line: 35-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the ink composition of Cleary et al. as modified by the aforementioned teaching of Roth in order to have a chemical resistance and smear resistance printed image.

Response to Arguments

5. Applicant's arguments filed 06/10/2005 have been fully considered but they are not persuasive. Applicant argued that the Leenders et al. didn't disclose or teaches that the surface temperature of the UV ray emitting light source is not more than 60 °C, which is not persuasive. In column: 11, line: 7-9, clearly teach that the ink receiving material is preferably subjected to a uniform heat treatment in the temperature range of 40 to 160 degree C, which covers the applicant's present claim limitation.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

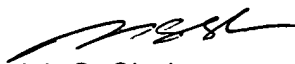
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

8/8/05